

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :
:
v. : 1:14CR130-1
THOMAS EARL TILLEY, :
:
Defendant. :

DEFENDANT'S MOTION TO MODIFY RELEASE ORDER

NOW COMES the Defendant, THOMAS EARL TILLEY, by and through counsel, James E. Quander, and respectfully moves this Honorable Court for an order temporarily modifying Defendant's release order to allow the Defendant to travel to Lynchburg, Virginia, leaving at 6:00 a.m., October 27, 2015, returning October 27, 2015 at 8 p.m. This request is made so that the Defendant can attend the funeral of Macel Falwell, and post-funeral family gathering.

In support of said Motion, the Defendant shows unto the Court the following:

1. On April 28, 2014, the Defendant was charged in a two-count bill of indictment alleging that he impeded and obstructed the administration of the internal revenue laws [26 U.S.C. § 7212(a) and 18 U.S.C. § 2] and tax evasion [26 U.S.C. § 7201]. On June 6, 2014, the Defendant was released on a \$10,000 unsecured bond. On October 24, 2014, the Court modified the Defendant's conditions of release and placed on home detention / electronic monitoring. On September 21, 2015, the Defendant was sentenced to 32 months imprisonment. During the sentencing hearing, this Court found that the Defendant had obstructed justice and was denied acceptance of responsibility.

2. That since being on home detention / electronic monitoring, the Defendant has not had any violations of his release orders.
3. That the Defendant has maintained all required contact with his pre-trial services officer.
4. That the Defendant has made three other modifications or similar requests during the period of release, which was granted. That first modification allowed the Defendant to travel to Apex, North Carolina on April 5, 2015, to attend Easter church service and dinner with his family. The second modification allowed the Defendant to travel to Liberty University graduation ceremony in Lynchburg, Virginia. The third modification allowed the Defendant to attend his grandson's wedding in Lynchburg, Virginia from October 16, 2015 through October 19, 2015, in Charlottesville, Virginia.
5. That the undersigned counsel contacted counsel for the government, Assistant United States Attorney Frank Chut and United States Probation Officer Evey Wooten. At this time counsel has not heard back from either party.
6. That the Defendant will leave his home at 6:00 a.m. on October 27, 2015, and return on October 27, 2015, by 8:00 p.m. Furthermore, the Defendant's daughter advises that the Defendant will be driving a 2002 Oldsmobile Bravada, which is properly registered by the Virginia Department of Motor Vehicles.

WHEREFORE, based upon the foregoing, Defendant respectfully requests this Court to enter an order granting the relief requested herein.

Respectfully submitted this the 26th day of October, 2015.

/s/ James E. Quander

JAMES E. QUANDER
Attorney for Defendant
N.C. Bar No. 25472
301 N. Main Street, Suite 2020
Winston-Salem, NC 27101
(336) 725-6600
Email: jimmy@qrlawnc.com

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CERTIFICATE OF SERVICE

I, James E. Quander, do hereby certify that the foregoing 4th MOTION TO MODIFY RELEASE ORDER was filed using the CM/ECF electronic filing system, which will automatically send notice of this filing to the following individual:

Frank Chut
Assistant United States Attorney
101 S. Edgeworth Street
Greensboro, NC 27401
Frank.Chut@usdoj.gov

Evey Wooten
United States Probation Officer
evey_wooten@ncmp.uscourts.gov

This the 26th day of October, 2015.

/s/ JAMES E. QUANDER
Attorney for Defendant
NCSB #25472
301 N. Main Street, Suite 2020
Winston-Salem, NC 27101
Email: jimmy@qrlawnc.com